

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-13 are currently pending in the present application; Claims 1, 6, 7, and 9 are amended by the present application; and Claims 10-13 are added by the present amendment. Support for the amendments is found in the originally filed specification at least at page 19, line 26, to page 20, line 1 and Figures 4, 8, 10, 11, and 12. New claims are supported by the originally filed specification at least at page 11, line 26, to page 12, line 2, Figure 4, page 11, lines 12-15, and Figure 9. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-9 were rejected under 35 U.S.C. § 102(e) as anticipated by Watanabe et al. (U.S. Patent Publication No. 2005/0239443, hereafter “Watanabe”). Applicants respectfully traverse that rejection.

With respect to the rejection of Claims 1-5 under 35 U.S.C. § 102(e), amended Claim 1 recites:

A mobile communications control method of controlling mobile communication by a mobile terminal in a network in which a plurality of wireless systems are available, the method comprising:

selecting, using a network control function layer, from among the wireless systems, a wireless system with which the mobile terminal performs location registration, based on at least one of a status of the network, a status of the mobile terminal, location information of the mobile terminal, a frequency of incoming call reception of the mobile terminal, and service area information of the wireless systems.

Independent Claim 2 includes similar features, therefore arguments made on behalf of Claim 1 also apply to Claim 2.

In a non-limiting embodiment, Applicants' Figures 1 and 2 show that a mobile device may be in a location which is covered by multiple wireless systems.¹ Conventional systems are not able to choose for a particular mobile device the optimum wireless system, on which to register.² The present invention is able to choose the optimum wireless system in which a mobile may location register, because embodiments of the invention take into account the different characteristics of the plurality of wireless systems available to a particular mobile for performing location registration³ while having the selection and designation functionality at the network control function layer. In a non-limiting embodiment, Applicants' Figure 4 shows the wireless system select function component used to select, using a network control function layer, from among wireless systems, a wireless system with which to perform location registration and Figure 4 shows the wireless system instruction component used to designate, using the network control function layer, the selected wireless system. Having this functionality at the network control function layer allows for greater control in selecting and designating the wireless systems.

Watanabe describes a mobile terminal and a system including wireless systems that are connected via a LAN network.⁴ The signal communications between Watanabe's base station 100 and the multiservice terminal 140 is exchanged with the management server 110 via the LAN network.⁵ Watanabe's LAN network (150) connects the different wireless systems with the management server (110) that stores information of the wireless systems.⁶ Further, Watanabe uses a multiservice terminal to select a wireless system most suitable from the received available wireless system list.⁷ The wireless system of Watanabe uses a system

¹ Specification, Figure 1.

² Specification, page 2, line 20 to page 5, line 17.

³ Specification, page 6, lines 24-28.

⁴ Watanabe, par. [0017].

⁵ Watanabe, par. [0018].

⁶ Watanabe, Figure 1.

⁷ Watanabe, par. [0020].

switch section 42 located in the multiservice terminal 140 to switch a wireless system “without causing awareness to a higher level network layer.”⁸ In other words, Watanabe does not engage a network control function layer to select and designate switching from one wireless system to another. Use of the network function layer described in Claim 6 is what Watanabe avoids. Moreover, by stating “without causing awareness to a higher level network layer,” Watanabe teaches away from using a network control function layer to select wireless system as described in Claim 1. Therefore, Watanabe does not describe “selecting, using a network control function layer, from among the wireless systems a wireless system with which the mobile terminal performs location registration,” as recited in Claim 1.

Accordingly, Applicants respectfully submit that independent Claims 1 and 2, and claims dependent therefrom, are allowable. Therefore, it is respectfully requested that the rejection of Claims 1-5 under 35 U.S.C. § 102(e) as anticipated by Watanabe be withdrawn.

With respect to the rejection of Claims 6-9 under 35 U.S.C. § 102(e) amended Claim 6 recites, in part, a mobile terminal for mobile communication in a network in which a plurality of wireless systems are available, the mobile terminal comprising a selector configured to select, from among the wireless systems, a wireless system with which to perform location registration, based on a movement speed of the mobile station, and a frequency of incoming call reception.

In a non-limiting embodiment Applicants’ Figure 9 shows the mobile terminal’s location registration procedure taking into consideration the movement speed of the mobile terminal and the incoming call frequency.

⁸ Watanabe, par. [0022].

Watanabe does not describe taking into consideration the movement speed of the mobile terminal. Rather, Watanabe considers the factors of cost, speed (transmission rate per unit time), jointability, successiveness, and power consumption.⁹

Similarly, amended Claim 9 stresses that the information stored in the mobile terminal includes the location of the mobile terminal, recited as, a memory configured to store specific information showing a location of the mobile terminal. Watanabe does not describe storing the location of the mobile terminal as it stores the factors listed above.

Accordingly, as Watanabe does not describe the above discussed features of Claims 6 and 9, Applicants respectfully submit that independent Claims 6 and 9, and claims dependent therefrom, are allowable. Therefore, it is respectfully requested that the rejection of Claims 6-9 under 35 U.S.C. § 102(e) as anticipated by Watanabe be withdrawn.

Consequently, in view of the foregoing discussion and present amendment, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Bradley D. Lytle

Attorney of Record
Registration No. 40,073

Scott A. McKeown
Registration No. 42,866

⁹ Watanabe, Figure 3, par. [0032].